

Appl. No.: 10/797,796
TCA.U.: 3701 Docket No.: B03-25
Reply to Office Action of December 15, 2005

REMARKS

The application on page 8, line 4 was amended to correct a typo error.

Claims 17, 19, and 21-27 appear in this application for the Examiner's review and consideration.

Claim 17 has been amended to incorporate the limitations of claims 18 and 20, which are herein cancelled.

Claim 21 has been amended to more clearly state the context of the Applicants invention, which is found in the specifications on pages 8 and 9.

Claims 1-16, 18, and 20, have been cancelled without prejudice to Applicants' right to file one or more continuing applications directed to any subject matter not presently claimed.

No new matter has been added by these amendments and additions.

Rejection Under 35 U.S.C. § 112, Second Paragraph

Claims 21-23 and 27 were rejected under 35 U.S.C. § 112, second paragraph.

Claims 21-23 were rejected as being unclear. Claims 21-23 are directed to a golf ball having a corrugated parting line that is defined by a superposition of waveforms as described in pages 8-10 of the specification. Claim 21 has been amended to more clearly state that the wavelength of the secondary waveform is substantially shorter than that of the base waveform.

Claim 27 was rejected upon clarification of a dipyramid pattern. A dipyramid pattern is a dimple pattern based on the geometry of a dipyramid (which is a type of polygon), in the same way that other dimple patterns are based on the geometry of an icosahedron, a cuboctahedron, or any other polygon. Basically, a dipyramid is a polygon that is made up of two matching pyramids attached base to base. If the two pyramids have triangular bases, then the result is a triangular dipyramid. If they are hexagonal bases, then the result is a hexagonal dipyramid. If they have quadrangular bases, then the result is a quadrangular dipyramid, which is actually the same as an octahedron.

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The rejection under 35 U.S.C. § 112, second paragraph, is therefore believed to have been overcome. Applicants respectfully request reconsideration and withdrawal thereof.

Rejection Over Inoue

Claims 17-23 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,840,351 to Inoue *et al.*

In rejecting claim 17, the Examiner stated that Inoue, on Fig. 3, discloses a golf ball comprising a corrugated parting line offset the equator, which does not intersect or interfere with the dimples edges. However, if one takes a closer look at Inoue, Fig 3, the parting line clearly does intersect and interfere with several dimple edges, most notably the trio of dimples at the center of the figure.

In rejecting claim 18, Inoue was discussed as having dimples creating a seamless appearance by appearing on either side of the corrugated parting line. Actually, the inventive concept is that the dimples interdigitate across the parting line, and in this context Inoue does indicate this feature on Fig. 3. Claim 18 has been cancelled and incorporated into claim 17.

In rejecting claim 19, the Examiner cited the parting line of Inoue being offset from the equator by at least 0.1 mm or 0.004 inch. While this may be true, the Applicants feel that it is irrelevant, since claim 19 states that the parting line is offset from the equator dimples by at least 0.001 inch. This is an important distinction.

Claim 20 was rejected because Inoue shows peaks and valleys. While this may be true, Inoue clearly shows valleys that are angular cusps, and not made up of radii.

Claims 21-23 were rejected based upon Inoue showing a continuous parting line around the equator. Inoue only shows a short segment of the parting line and associated dimple pattern. This is completely insufficient to determine if it anticipates the Applicant's claims. Certainly, there is nothing in the Inoue specification to suggest the superposition of a base waveform and a secondary waveform of substantially shorter wavelength.

Inoue relates to parting lines that are offset either above or below the equator for the purpose of capturing the ball preferentially in either the upper or lower mold cavity

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when the mold is opened. As such, the parting line will exist either entirely on or in the majority on one side of the ball's equator. The cited Fig. 3 shows the parting line entirely above the equator. This is an atypical concept that is not even contemplated in the present invention, wherein the parting lines are centered on the equator so that they exist in equal parts on both sides of the equator. Claim 17 has been amended to more clearly state this concept. Support for this is found at least in Figs. 8, 10 and 12 of the present invention. It is also inherent in the disclosure of waveforms having an integral number of cycles around the equator, as discussed on page 8, line 15 of the Applicants' specification. With an integral number of complete cycles, the waveform would have to dwell equally both above and below the horizontal axis (the equator).

For claims to be rejected under 35 U.S.C. § 102(b), each and every element as set forth in the claims of the present invention must be found, either expressly or inherently, in a single prior art reference. Applicants respectfully submit that Inoue does not disclose all the elements of the claimed invention.

Accordingly, independent claim 17 is believed to be in condition for allowance for at least the reasons set forth above. Moreover, the remaining claims 19, and 21-27, depend from the claim 17 discussed above and add additional features. These claims are believed to be patentable for the totality of the claimed inventions therein and by virtue of their dependence from the independent claims. As such, Applicants respectfully request that the rejection under 35 U.S.C. § 102(b) be reconsidered and withdrawn.

Rejection Over Solheim

Claims 17, 18, 20-23 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,653,758 to Solheim. Each of the Examiner's rejections were identical in argument as to the Inoue rejection basis as outlined above.

The claims have been amended as described above, and are believed patentable over Solheim for at least the following reasons.

In rejecting claim 17, Solheim really does not appear relevant. Solheim focuses on the "fused junction" between the two pre-molded hemispherical shells of cover material, which is quite a different matter. In rejecting claim 18, which is now

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incorporated into claim 17, the dimples in the Solheim patent, while they appear on both sides of the equator, the dimples are not interdigitated. If one were to examine Solheim closely, it will be seen that the seamless appearance is the result of very wide overall dimple spacing, and the ball would appear seamless even without the corrugated parting line.

In the rejection of the peaks and valleys cited in claim 20, the Examiner refers to the peaks and valleys of Solheim. Yes, it is acknowledged that there are peaks and valleys, but they are made up of straight lines and sharp corners with no radii at all. Even looking at Fig. 6 of Solheim, line 64 (which is made up of radii) is not the parting line, but rather a fused junction between the two pre-molded hemispherical shells of the cover material (see Column 8, line 54).

Claims 21-23 were rejected based on the parting line being a continuous waveform around the equator, but what is disclosed by Solheim does not appear to be the result of the superposition of two waveforms with different wavelengths, and there is no suggestion of such.

For claims to be rejected under 35 U.S.C. § 102(b), each and every element as set forth in the claims of the present invention must be found, either expressly or inherently, in a single prior art reference. Applicants respectfully submit that Solheim does not disclose all the elements of the claimed invention.

Accordingly, independent claim 17 is believed to be in condition for allowance for at least the reasons set forth above. Moreover, the remaining claims 20-23 depend from the claims discussed above and add additional features. These claims are believed to be patentable for the totality of the claimed inventions therein and by virtue of their dependence from the independent claim. As such, Applicants respectfully request that the rejection under 35 U.S.C. § 102(b) be reconsidered and withdrawn.

Rejection Over Sanchez

Claims 17, 18, and 20-24 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,249,804 to Sanchez. Each of the rejections were identical in argument to the above rejections, with the exception that claim 24.

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In the rejection of claim 17, the Applicants feel that Sanchez discloses the same parting line as Solheim (although he calls it a seam) which implies that it is more like the "fused junction" of Solheim than an actual parting line.

In the rejection of claim 18, the Applicants again feel that there is no interdigitation across the parting line, therefore it doesn't anticipate this claim.

In the rejection of claim 20, again this is clearly a parting line with straight lines and sharp corners and no radii.

Once again claims 21-23 were rejected based on the parting line being a continuous waveform around the equator, but what is disclosed in this Sanchez patent does not appear to be the result of the superposition of two waveforms with different wavelengths, and again as with Solheim there is no suggestion of such.

For the rejection of claim 24, Sanchez (as does Solheim) anticipates an icosahedral pattern, but again the patentability is based upon its dependency of an allowed independent claim.

For claims to be rejected under 35 U.S.C. § 102(a), each and every element as set forth in the claims of the present invention must be found, either expressly or inherently, in a single prior art reference. Applicants respectfully submit that Sanchez does not disclose all the elements of the claimed invention.

Accordingly, independent claim 17 is believed to be in condition for allowance for at least the reasons set forth above. Moreover, the remaining claims 21-24 depend from this claim 1 and add additional features. These claims are believed to be patentable for the totality of the claimed inventions therein and by virtue of their dependence from the independent claim. As such, Applicants respectfully request that the rejection under 35 U.S.C. § 102(b) be reconsidered and withdrawn.

Rejection Over Inoue and Solheim each In View of Sajima

Claims 25 and 26 were rejected under 35 U.S.C. § 103(a) as being obvious over Inoue '351 and Solheim '758 each in view of U.S. Publication No. 2002/0019274 to Sajima.

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The argument for Inoue and Solheim are discussed above and claims 25 and 26 are patentable only because they are dependent upon an allowable independent claim, and are not meant to stand on their own merits.

The above rejections of Solheim and Inoue are overcome then under 35 U.S.C. § 103(a) claims 25 and 26 are believed to have been overcome for at least the above reasons. Applicants respectfully request reconsideration and withdrawal thereof.

Conclusion

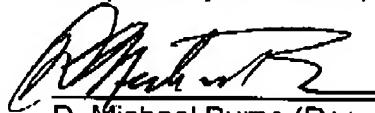
Based on the remarks set forth above, Applicants believe that all of the rejections have been overcome and the claims of the subject application are in condition for allowance. Should the Examiner have any further concerns or believe that a discussion with the Applicants' agent would further the prosecution of this application, the Examiner is encouraged to call the agent at the number below.

No fee is believed to be due for this submission. However, should any required fees be due, please charge them to Acushnet Company Deposit Account No. 502309.

Respectfully submitted,

March 3, 2006

Date



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